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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA — FRESNO DIVISION

DAVID COUCH,  
Plaintiff,  
vs.  
MORGAN STANLEY & CO.,  
INCORPORATED and MORGAN  
STANLEY SMITH BARNEY, LLC,  
Defendants.

CASE NO. 1:14-CV-0010-LJO-JLT

**ORDER GRANTING JOINT  
STIPULATION TO ALLOW  
DEFENDANT TO AMEND ITS MOTION  
TO DISMISS**

***COURT REVISED ORDER***

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Based on the parties' stipulation, this Court:

1. VACATES the March 12, 2014 hearing on defendants' motion to dismiss/strike and ORDERS the parties not to appear on that date;
2. ORDERS defendants, no later than February 25, 2014, to file and serve optional revised motion to dismiss/strike papers;
3. ORDERS plaintiff, no later than March 20, 2014, to file and serve opposition papers to defendants' operative motion to dismiss/strike; and
4. ORDERS defendants, no later than March 27, 2014, to file and serve optional reply papers for their operative motion to dismiss/strike.

Pursuant to its practice, this Court will consider defendants' operative motion to dismiss/strike on the record without a hearing and issue a written ruling, unless this Court orders otherwise.

IT IS SO ORDERED.

Dated: February 20, 2014

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE